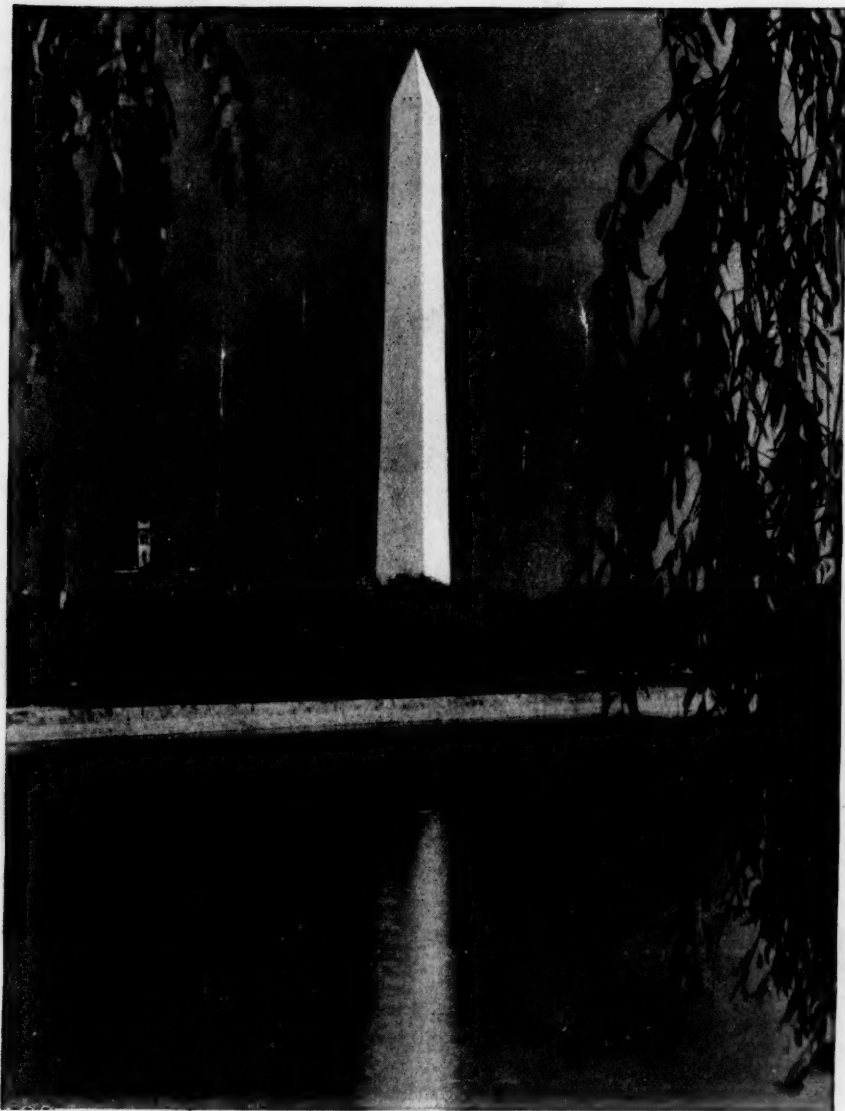


LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



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WASHINGTON MONUMENT IN THE CAPITAL CITY

THE RELIGIOUS OUTLOOK BEFORE CONGRESS — Page 110

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WASHINGTON, D. C.

Religious Liberty Association

DECLARATION OF PRINCIPLES

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

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LIBERTY

"Proclaim liberty throughout all the land unto all the inhabitants thereof." Leviticus 25:10.

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FOURTH QUARTER, 1927

NO. 4

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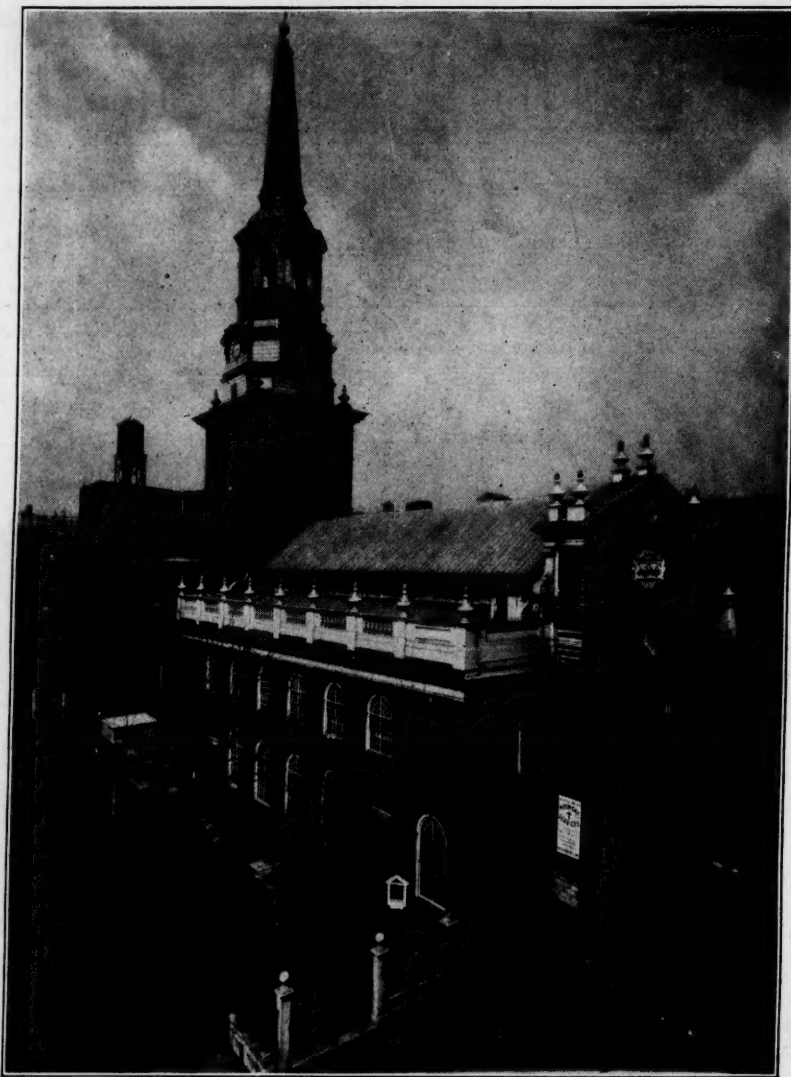
CONTENTS

CHRIST CHURCH IN PHILADELPHIA, PA.	Frontispiece
DRASTIC DECISION SPLITS COURT AND STIRS PUBLIC	99
A DANGEROUS PRECEDENT ESTABLISHED	102
THE PRESENT CRISIS THREATENING TO OVERTHROW RELIGIOUS LIBERTY	103
A BAPTIST'S VIEW OF SUNDAY LEGISLATION	106
ROGER WILLIAMS AND THE PURITANS	108
THE RELIGIOUS OUTLOOK BEFORE CONGRESS	110
BIBLE READING IN THE PUBLIC SCHOOLS DEFEATS ITS OWN AIMS	111
WHAT THE CONSTITUTION SHOULD MEAN TO AN AMERICAN CITIZEN	112
"IS A MAN'S HOME HIS CASTLE?"	114
THE MISTLETOE ON THE BODY POLITIC	115
RELIGIOUS BIGOTS ALWAYS SELFISH	116
SUNDAY BASEBALL GAINING FAVOR	117
THE TEN COMMANDMENTS STILL ADEQUATE	123
CHRISTIANITY NOT DEPENDENT ON LAW AND STATE AID	124
"ENFORCING JOY BY LAW"	125
ENFORCING PRAYER AND REPENTANCE BY LAW	126
RULES ON JERSEY BLUE LAW	126
"ABSURD BLUE LAWS"	127
WHAT EMINENT MEN HAVE SAID	128
REAL SPONSORS OF LANEFORD SUNDAY BILL	128

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CHRIST CHURCH, PHILADELPHIA, PA.

Christ Church, Philadelphia, was erected in 1695. The corner stone of the present building was laid in 1727, but the building was not completed until 1754. The interior was restored to its ancient character in 1882. The old pulpit of 1770 remains, as does the font. In this church, Bishop White officiated during Revolutionary days. His body lies under the altar. In the old Christ Church burial ground are the graves of Benjamin Franklin and many other noted patriots.

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Drastic Decision Splits Court and Stirs Public

By

C. S. Longacre

THE Pennsylvania Supreme Court, by a vote of five to two, upheld the antiquated Sunday blue law of Pennsylvania, enacted in 1705 and reaffirmed in 1794, that the playing of commercial baseball on Sunday is illegal, because this ancient law forbids "all worldly labor, business, or work" on Sunday.

But the court went farther than to uphold the law and mete out the penalty prescribed by the law itself; it entered the field of judicial legislation, and decided that the Athletic Baseball League of Philadelphia had forfeited its charter by playing one Sunday in August, 1926, in the city of Philadelphia, and charging an admission fee.

On the question whether professional baseball is "worldly business," the majority opinion stated:

"We cannot imagine in this sense anything more worldly or unreligious in the way of employment than the playing of professional baseball as it is played to-day. It is not only

worldly employment, which is forbidden, but business.

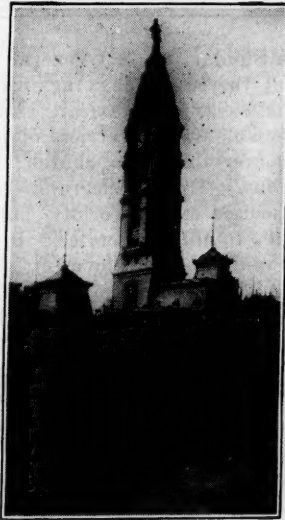
"Christianity is a part of the common law of Pennsylvania, and its people are Christian people. Sunday is the holy day among Christians. No one, we think, would contend that professional baseball partakes in any way of the nature of holiness."

And the charge for admission proved that it was business.

In this statement, many of the lawyers and editors of newspapers hold that the supreme court of Pennsylvania has overshot the mark by putting a religious construction upon the Sunday law of 1794, and that the decision will ultimately prove the undoing

of the law itself and pave the way for its repeal.

The Supreme Court of the United States has declared that any Sunday law that prohibits an act on Sunday because it is unreligious, is unconstitutional and void. In this case the supreme court of Pennsylvania says that playing baseball on Sunday and charging a fee therefor is both "unreligious"



City Hall, Philadelphia

and "business." If this is not placing the Sunday law on a religious basis, then we fail to understand the force of the English language. The supreme court of Pennsylvania did the very thing that the Supreme Court of the United States said could not be done without rendering the Sunday law unconstitutional and void.

Strictly a Religious Law

The enactment of 1794 requiring all people in the State of Pennsylvania to refrain from "worldly employment or business" on Sunday, is strictly a religious law, and therefore the court has not overshot the mark, but has simply stated an undeniable fact, that the law aims to prohibit everything on Sunday that is "unreligious." Only a few courts, however, in America have ever taken such a bold step as to admit frankly that the intent of Sunday laws is to prohibit "unreligious" acts on Sunday, thus deliberately entering the

realm of religion and signifying the intention of the State to regulate the conscience and religious duties of the individual under the penal code.

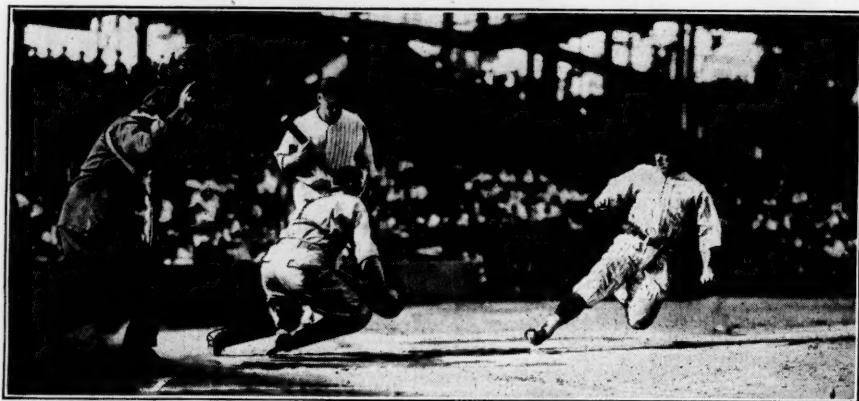
Justice Schaffer, in his opinion, said:

"We cannot imagine in this sense anything more worldly or unreligious in the way of employment than the playing of professional baseball as it is played today. It is not only worldly employment, which is forbidden, but business.

"Christianity is a part of the common law of Pennsylvania, and its people are Christian people. Sunday is the holy day among Christians. No one, we think, would contend that professional baseball partakes in any way of the nature of holiness."

Chief Justice Von Moschizisker and Justice Kephart, the two dissenting justices, agreed in their minority opinion that if the quo warranto proceedings are to bind baseball clubs on Sunday and prevent them from doing "business" and doing "worldly" or "unreligious" acts, "the attor-

ney-general ought to institute proceedings against all railroads, trolley car, taxicab, and motor bus companies, all carriers of passengers not on their way to church; newspapers, telephone, and telegraph companies." All these do worldly business and charge for the service. It is certainly "worldly employment," and "unreligious," unless the service is rendered directly for the benefit of the church and to accommo-



NATIONAL PHOTO

This Form of Pleasure Is Prohibited in Pennsylvania on Sunday, Because It Is "Unreligious" or Nonreligious, and "Business"

date people going to and from church. This was the evident intent of the Sunday law of Pennsylvania, because at the time the law was first enacted in 1705 the Church of England required all people to attend the legally established church services on Sunday, and likewise required all people of every faith to support the clergy of the legally established church.

Justice Kephart, in writing the dissenting opinion in this case, says that the supreme court virtually enacted legislation and twisted the intent of the law into something else than what the legislature had put into the law. "Quo warranto proceedings," says Justice Kephart, are "an extraordinary remedy to be granted with extreme care and caution," and "never to be allowed except under statutory authority." There is no such statutory authority in the law under consideration. It is the creation of the court, and not of the

legislature. The penalty in the law is plainly stated,—a fine upon conviction; but the court has ignored the penalty specified in the law, and has sustained

quo warranto proceedings to forfeit the charter of the offending club, contrary to the law. If the court expects the baseball club to observe the minutest specifications and intentions of the law, should it not set a worthy example by keeping within the plain letter and provisions of the law?

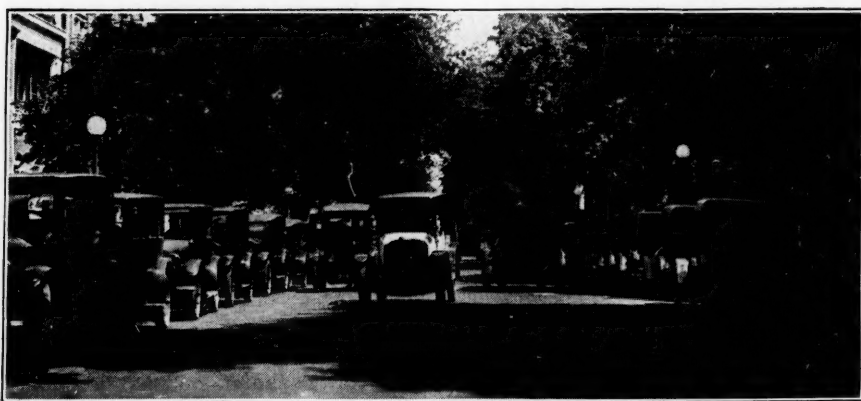
Justice Kephart's dissenting opinion was in part:

"If the law of the majority opinion is to be followed, the attorney-general ought to institute proceedings against all corporate violators of the Sunday law, including railroad companies, trolley car companies, all taxicab companies, and the motor bus companies, which are identical in purpose with taxicab companies, all carriers whose passengers are not on their way to church or religious services, or travelers whom necessity compels to move, but are pleasure seekers or engaged in a business journey."

Most Damaging if Impartially Enforced

Justice Kephart's dissenting opinion, in which the chief justice concurred, further explains that this unusual decision of the court sanctions quo warranto proceedings against any corporation violating the act of 1794, and that the attorney-general may summon every such offender before the bar to show cause why its charter should not be re-

(Continued on page 118)



NATIONAL PHOTO

Must Not the Same Law Bar Sunday Automobiling for Pleasure, for That Too Is Nonreligious?

A Dangerous Precedent Established

By

The Editor

THE Philadelphia *Public Ledger* of June 28, in commenting upon the decision of the supreme court of Pennsylvania, declared that all "worldly" or "unreligious" acts are prohibited under the ancient Sunday blue law of 1794, says:

"The effect of the court ruling will depend wholly upon the use which is made of it. . . . The greatest peril of the situation lies in the possibility of the misuse of the powers which the court says the State possesses to hold corporations to account for doing those things which have been done for generations as a matter of course, but which the literal text of the law makes illegal. In the hands of clumsy or dishonest administrators, this ruling opens or might open a way to coercion and oppression of the most mischievous kind,—an outcome which was certainly not within the intention of the supreme court justices."

This warning from the *Ledger* is timely. Every religious persecution in the past had its origin in apparently innocent legal precedents. The men who were responsible for the establishment of these legal precedents which were afterward broadened out and misused, were kind-hearted men who never had a thought of religious persecution in their minds. But other men less honest and less principled came to the throne of power, and they took advantage of the legal cudgel placed in their hands, and wrought great mischief. They followed the legal precedent to its ultimate conclusion, and did not stop short of the establishment of the Inquisition, when

once the door was opened for religious legislation and state control of religious conduct.

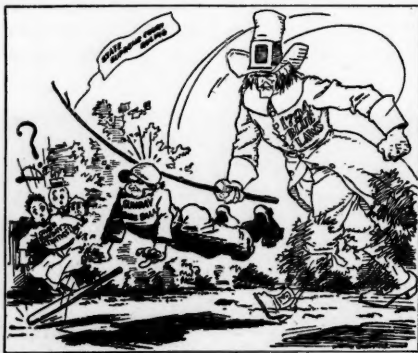
Such decisions inevitably lead to the establishment of courts to determine what is the true and what is the false religion, who are orthodox and who are heretical, and what is the infallible standard to which all must conform under pain of death.

For this reason, our judges ought to be especially guarded against rendering decisions which may be misused by their successors, for the latter may be tempted to follow a dangerous legal precedent to conclusions which were the farthest from the innocent conceptions of those who made the decisions. The door to religious legislation should never be opened by any court, because such a legal precedent has a whole inferno couched in it.

Thomas Jefferson gave warning against this sort of thing when he said:

"The spirit of the times may alter, will alter. Our rulers will become corrupt, our people careless. A single zealot may commence persecution, and better men be his victims. It can never be too often repeated, that the time for fixing every essential right on a legal basis is while our rulers are honest, and ourselves united."

Mr. Jefferson was right; the only trouble is that his counsel was not fully heeded as it should have been. Too many of the church and state laws were allowed to remain, and to-day they are vexing the good people of the Keystone State.
L.



This Cartoon, Which Appeared in the "Public Ledger" of Philadelphia, Depicts the Revival of Puritanic Intolerance



The Present Crisis Threatening to Overthrow Religious Liberty

By
C. P. Bollman

RELIGIOUS liberty is facing a great crisis in this country, and the alarming feature of the situation is that but few realize its gravity.

When the question of Sunday mails was before the United States Congress in January, 1829, a committee in each house of that body submitted a report, from one of which we quote this paragraph:

"Extensive religious combinations to effect a political object, are in the opinion of the committee, always dangerous. This first effort of the kind calls for the establishment of a principle which, in the opinion of the committee, would lay the foundation for dangerous innovations upon the spirit of the Constitution, and upon the religious rights of the citizens. If admitted, it may be justly apprehended that the future measures of the government will be strongly marked, if not eventually controlled, by the same influence. All religious despotism commences by combination and influence; and when that influence begins to operate upon the political institutions of a country, the civil power soon bends under it; and the catastrophe of other nations furnishes an awful warning of the other consequence."

The report of which this was a part,

was concurred in by the Senate, Jan. 19, 1829. About a year later a committee of the

House also reported against an action by Congress recognizing Sunday sacredness.

But in 1863, when the country was in the throes of the Civil War, there was organized an association having for its object not only the securing of laws stopping all the Sunday activities of the government, but the adoption of such an amendment to the Constitution as would place upon "an undeniably legal basis" "all the Christian laws, institutions, and usages of our government."

At that time there were few who did not admit that Congress was forbidden by the Constitution to enact any law that would in any way prohibit the free exercise of religion by even indirectly assuming to settle a religious controversy.

But between that time and the present there has been a series of supreme court decisions, both State and national, that have paved the way for the passage of a Sunday law, not as a religious, but as

"a civil measure,"—a law that would be proof against any attack that might be made upon it from the standpoint of the First Amendment to the Federal Constitution.

Of course no law enforcing a religious obligation, or making obligatory the observance of a religious custom, can by any possibility be civil in any other sense than that it is enacted and enforced by the civil state. In discussing this question some years since, the late James T. Ringgold, of the Baltimore bar, a lifelong member of the Episcopal Church, said this:

"Calmly ignoring the fact that according to the theory of our American constitutions there is not and cannot be any church here by law established, many American judges adopt the English view and still uphold American Sunday laws. We are boldly told that the purpose of the compulsory idleness required by these laws is 'to turn men to the duties of religion,' and 'enforce the observance of religious duties' 'to promote and establish religion among us;' and 'to induce the observance of the duties of religion in society;' and that the day is 'wisely recognized by law as a day of rest to be devoted to religious contemplation and observance.'"¹

These are only a few, a very few, of the citations that might be given, affirming the religious character of Sunday and attempting to justify its enforced observance as a Christian institution, notwithstanding the seemingly broad constitutional guaranties of freedom of conscience.

That Sunday laws are in fact religious, founded upon religious opinion and religious practice, rather than upon civil considerations, was thus acknowledged by Judge Hammond of the United States Circuit Court for the Western District of Tennessee, in the case of *R. M. King vs. the sheriff of Obion County and the State of Tennessee*. In dismissing the writ of *habeas corpus*, sued out in behalf of the said *R. M. King*, Judge Hammond said in part:

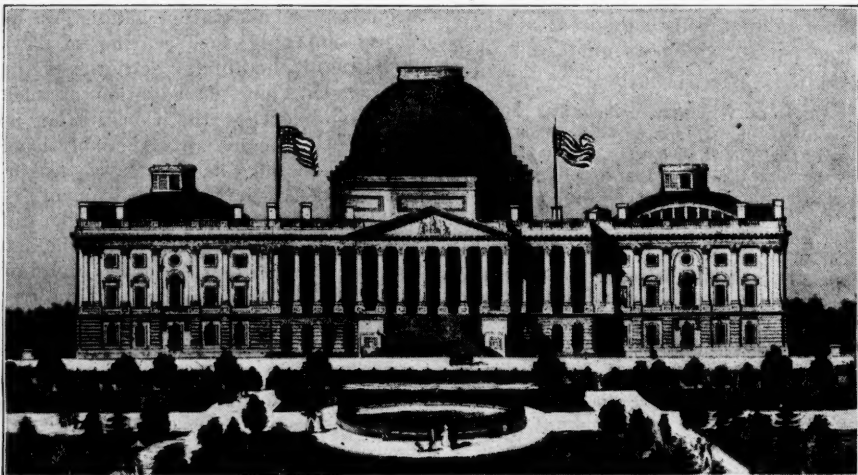
"The fourth commandment is neither a part of the common law or the statute, and disobedience to it is not punishable by law; and certainly the substitution of the first day of the week for the seventh as a part of the commandment has not been accomplished by municipal process, and the substitution is not binding as such. The danger that lurks in this application of the aphorism [that Christianity is a part of our common law] has been noted by every intelligent writer under my observation, and all agree that this commandment, either in its original form, as practiced by petitioner, or

¹ *George vs. George*, 47 N. H., 27.

² *Duprey's Case*, Bright, 44.

³ *Kountz vs. Price*, 40 Miss., 341.

⁴ *Moore vs. Hagan*, 2 Duv., Ken., 437.



FROM AN OLD LITHOGRAPH

A View of the East Front of the U. S. Capitol as It Appeared in 1830

in its substituted application to the first day of the week, is not more a part of our common law than the doctrine of the Trinity or the apostles' creed. Nevertheless, by a sort of factitious advantage, the observers of Sunday have secured the aid of the civil law, and adhere to that advantage with great tenacity, in spite of the clamor for religious freedom, and the progress that has been made in the absolute separation of church and state; and in spite of the strong and merciless attack that has always been ready, in the field of controversial theology, to be made, as it has been made here, upon the claim for divine authority for the change from the seventh to the first day of the week. Volumes have been written upon that subject, and it is not useful to attempt to add anything to it here. We have no tribunals for its decision, and the efforts to extirpate the advantage above mentioned by judicial decision in favor of a civil right to disregard the change, seem to me quite useless."

This amounts to a confession from a Federal court of both the religious charter of Sunday laws and the fact that such statutes do favor observers of the first day of the week, an advantage to which they adhere "with great tenacity, in spite of the clamor for religious freedom."

And this arbitrary decision of Judge Hammond's was rendered in Tennessee in a case arising in that State, a case in which R. M. King, the petitioner, was pleading in his own defense, section three of the Declaration of Rights of that sovereign State, as follows:

"That all men have a natural and infeasible right to worship Almighty God according to the dictates of their own conscience; that no man can, of right, be compelled to at-

tend, erect, or support any place of worship, or to maintain any minister against his consent; that no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given by law to any religious establishment or mode of worship."



Intolerance

Unchristian thought! on what pretense
so'er
Of right inherited, or else acquired;
Of loss or profit, or what plea you name,
To buy and sell, to barter, whip, and hold
In chains, a being of celestial make—
Of kindred form, of kindred faculties,
Of kindred feelings, passions, thoughts,
desires;
Born free, and heir of an immortal hope!—
Thought villainous, absurd, detestable!
Unworthy to be harbored in a fiend!
And only overreached in wickedness
By that, birth too of earthly liberty,
Which aimed to make a reasonable man
By legislation think, and by the sword
Believe.

—Pollok.

But preference has been given to Sunday observers, and this the courts admit, and yet declare themselves unable to right the wrong and to give to dissenters from the Sunday religion thus established, that equality of rights solemnly guaranteed to them by the fundamental law of the State!

And now as the crowning iniquity, this "factitious advantage" seems about to receive the sanction of the Congress of the United States by the passage of a compulsory Sunday law for the District of Columbia.

A factitious advantage is an artificial or conventional advantage, one not grounded upon sound principles, but one manufactured. Some of the synonyms of the word given in Funk and Wagnalls High School Standard Dictionary are: "Affected, artificial, pretended, sham, simulated, spurious, trumped up, unnatural." And the antonyms given by the same authority are: "Actual, genuine, honest, natural, real, truthful, unaffected."

The fact is, therefore, that the United States Congress is asked not only to give its sanction to the pretense and sham by which Sunday laws have been forced

(Continued on page 122)

A Baptist's View of Sunday Legislation

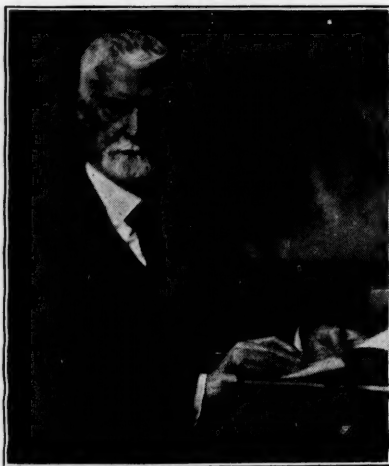
By

Josiah Morrow

WHILE Sunday laws which would be both meddlesome

and troublesome if enforced, exist in many of the newer States, without doubt the worst of these laws are to be found in the original thirteen States, except Rhode Island, where the influence of Roger Williams brought about a greater degree of religious liberty than in any other colony. The reason for this is that many, if not most, of the original colonies had what was virtually a religious establishment and laws for the religious observance of the first day of the week. While these laws are not and cannot be enforced to-day, it is found that in many States they can neither be repealed nor modified.

The Sunday laws of New Jersey are so evidently unfitted to modern views that they are admitted to be dead letters and nonenforceable. If they were literally enforced, they would stop all travel on Sunday — walking, riding on horseback or in vehicles of any kind, except when going to or from church. Motor-ing and operating passenger trains are forbidden. Public concerts for pleasure or diversion, bathing in the ocean, and all sports, games, and recreation for "diversion" are banned [by the statute,



HARTSHORN PHOTO

Josiah Morrow, President of the Lebanon Library Board, of Lebanon, Ohio

A Baptist of the old school, which stands for religious liberty for all men, and in opposition to State Sunday laws enforced by the civil magistrates.

which is enforced only spasmodically]. It is evident that laws which cannot be enforced should be repealed or modified, but this was found to be very difficult to do in New Jersey with respect to laws having a bearing on religion.

A Model Sunday Law

Not long ago the governor of New Jersey, under authority of a joint resolution of the legislature, appointed a commission of six members, three from each house of the legislature, to make a report on the present Sunday laws of the State, recommend-

ing either their [retention], repeal, or revision. The commission granted a public hearing in the senate chamber, and none but clergymen took part in the discussion. The liberal clergymen advocated the repeal of the Sunday laws and the substitution of a rest law, guaranteeing workmen one rest day in seven, without specifying which day they should choose or how they should spend the day. The conservatives opposed the repeal of the old laws, and some of them even opposed any modification of them whatever.

After the hearing the commission framed a bill and presented it to the legislature, reading as follows:

"It shall not be unlawful for any person or persons on the first day of the week, commonly called Sunday, to engage in or take part in any form of recreation, sport, amusement, or occupation that is not unlawful on other days of the week."

A proviso was added to the bill, giving municipalities and incorporated camp meeting associations power to prohibit the commercialization of any form of recreation, sport, or amusement within their boundaries. Even with this proviso the recommendation is probably the most revolutionary ever proposed in regard to the Sunday laws of an old State. Coming from a commission appointed by the governor and representing both houses of the legislature, the bill recommended is certainly most noteworthy as indicating the evident drift of opinion on a troublesome question. . . .

This brief bill seems to me as nearly a model Sunday law as can today be proposed for any State.

California Without Sunday Laws

The States of the Far West have suffered much less from restrictive Sunday legislation than the older States east of the Mississippi. California, our greatest and most rapidly growing Pacific Coast State, having already two of America's largest cities and three of her great universities, educationally always among the most progressive in the Union, is said to be practically rid of all Sunday laws. The statutes of the State provide for one rest day in the week, but place no restrictions on its observance. The workingman is not directed by law how he may spend

his leisure on Sunday, nor is he prohibited by law from engaging in recreations and amusements lawful on other days. The old-time policy of trying to make men religious on one day of the week by law, seems to be entirely abandoned in this great and progressive State.

Less than a year ago a California minister wrote a letter to a Philadelphia religious weekly, in which great regret was expressed at the disappearance of all State law for Sabbath observance, with fearful forebodings for the future of the churches. But these fears have not been justified. New and costly churches have been completed in California as well as in other States; the great preachers have continued to draw

large congregations, and smaller rural churches are not reported as having a reduced attendance. The doctrine taught by Roger Williams in Rhode Island and by Jefferson and Madison in Virginia, that religion does not need the aid of the civil law for its promotion, was found to be true in California.

Ohio's Constitutional Provision

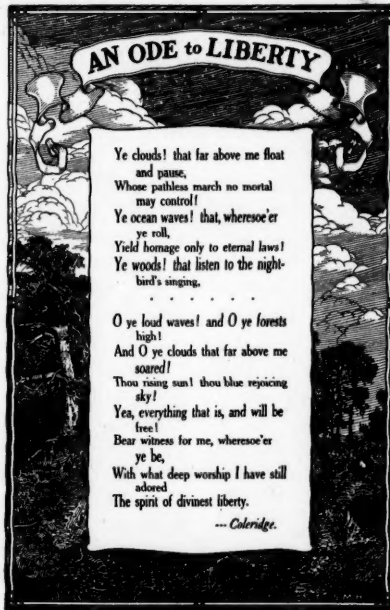
Perhaps no State in the Union has a better provision in her constitution respecting religious legislation than

Ohio. The cele-

brated ordinance of 1787, under which the Territories northwest of the Ohio were governed before they became States, contained the following clause:

"Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." . . .

(Continued on page 121)





Roger Williams and His Men at the Spring

Roger Williams and the Puritans

By
The Editor

ROGER WILLIAMS was a Puritan by church affiliation when he arrived at Boston in 1631, but he had already imbibed the ideals of the Pilgrim Fathers through his contact with the Pilgrims, or Separatists, as they were called in England. Roger Williams was a man who believed in giving free expression to his views and religious convictions. It was not long until persecution reached him in England, and he fled to America that he might enjoy "soul freedom," as he called it, in the wilds of this country.

He had been a godly and zealous preacher, employed in the ministry in England, but it was impossible for him to accept the theocratic doctrines of the national Church of England, and therefore he decided to come to America and save the Puritan church in America from drifting into the theocratic idea so strongly intrenched already in the national Church of England.

As soon as he arrived in Boston, he wanted the congregation of Boston to make a public declaration of repentance for holding communion with the Church

of England while they lived there, because he declared it his opinion that "the civil magistrate might not punish any breach of the first table" of the decalogue, which prescribed the duties of man toward God.

His attitude on this subject caused the Boston and Salem churches to forbid his preaching in those churches for a period of nearly three years, which afforded an opportunity for the Pilgrims to call him to Plymouth, where, Governor Bradford says, "he was freely entertained, according to our poor ability, and exercised his gifts among us; and after some time was admitted a member of the church, and his teachings well approved; for the benefit whereof I still bless God."

Thus we learn that Roger Williams became a member and preacher of the Pilgrim faith, and not of the Puritan. Later he was invited by the Salem church to become their pastor, but they soon expelled him because he rigidly adhered to a complete separation of church and state in the matters of religion and conscience. He was sum-

moned before the council at Boston to answer the charge of heresy against the established religion and for treason against the government.

Salem is the place where the civil and ecclesiastical authorities shortly afterward hanged many innocent people on the false charge of witchcraft, until the religious craze involved some of the immediate members of the families of the civil and religious officials who were responsible for the executions on Gallows Hills. Salem invited this persecution when she rejected the sound principles of civil and religious liberty that would have saved her from it, if she had accepted the teachings of Roger Williams. They had charged him with teaching heresy because "he denied the right of magistrates to inflict punishment for Sabbath breaking, or 'any other offense that was a breach of the first table.'"

When summoned before the court of Boston, Roger Williams maintained that "no human power had the right to intermeddle in matters of conscience; and that neither church nor state, neither bishop nor king, may prescribe the smallest iota of religious faith." He consistently maintained his position without wavering before the Boston court, that in matters of religion "man is responsible to God alone." The Puritan court declared this teaching of Williams "a most damnable doctrine," and he was ordered deported. To avoid a return to England, he was compelled

to flee from his grief-stricken wife and newborn babe in the middle of a bitter cold winter, and for weeks he wandered alone in the wilds of New England, living on nuts, sheltered under the snow, till at last he found an asylum among the Narragansett Indians. These Indians took pity upon him, and became the conservators of human freedom in America, instead of the white man.

Others who held divergent views from the Puritans were likewise banished, and Roger Williams offered them protection in his colony in Rhode Island. He made his colony an asylum for the oppressed of Europe as well as of America, and as the historian Bancroft said, "he

was the first person in modern Christendom to assert in its plenitude the doctrine of the liberty of conscience, the equality of opinions before the law."

As a result of this offer of universal freedom for all men of every religious faith as well as for agnostics, the oppressed of Europe and of America fled to Rhode Island, and shortly the inhabitants of the Providence Plantations promised to rival the Puritans in Massachusetts in numerical strength. The governor of the Massachusetts Colony became alarmed



Statue of Roger Williams in the U. S. Capitol

at the rapid growth of the Rhode Island Colony, and thought that Roger Williams might ultimately seek revenge when he felt sufficiently strong. So he sent two messengers to Roger Williams,

(Continued on page 119)



The Religious Outlook Before Congress

By

Heber H. Votaw

AS the time for the convening of Congress approaches, the readers of the *LIBERTY* magazine will undoubtedly desire to be advised concerning the outlook for the introduction of bills which have for their purpose the enactment of religious legislation. At the present writing the editors know positively of only one measure. Mr. Lankford, who during the last session of Congress sponsored a bill for the closing of places of business and amusement in the District of Columbia, has announced his purpose in the closing paragraph of a government document, taken from the *Congressional Record* of March 1, 1927, entitled, "A Commercial or Christian Sunday at Our Nation's Capital—Which?" as follows:

"Mr. Speaker, since the above article was penned, it has become known that my bill to provide for a Sunday observance law for the District of Columbia will not pass at this session. It is my purpose to reintroduce the bill just as soon as Congress convenes next December, and I am confident, with the support of the people both in Washington and throughout the nation who believe in a reasonable Sabbath law for the nation's capital, that the passage of the bill is assured before the adjournment of the Seventieth Congress."

The temptation is strong to call attention to the bill which Mr. Lankford characterizes as a "reasonable" one, but space forbids. It is enough for the pur-

pose of this article to notice the fact that Mr. Lankford expects the people of the nation at large to work for the passage of a Sunday bill for the residents of the District of Columbia, and that his franked envelopes are being used to carry his purely religious speech to all parts of the nation. The Post Office Department of the United States Government has a deficit of hundreds of thousands of dollars every year, and yet this department is called upon to carry free of postage Mr. Lankford's religious-political speech, and citizens who do not agree with the teaching of the document are compelled to aid in paying for the loss incurred by its being circulated without the payment of any postal fee. Mr. Lankford has furnished both documents and franked envelopes to at least two religious organizations, and from the headquarters in Pittsburgh and New York City the officers of the National Reform Association and the Lord's Day Alliance have distributed the document as they saw fit, and that, be it remembered, at the expense of all the people.

At the close of a conference "to aid in securing a Sunday law for the District of Columbia, held at Pittsburgh, Pa., June 21 and 22," a "release" for religious and social service publications

(Continued on page 122)



Bible Reading in the Public Schools Defeats Its Own Aims

[Dr. Lorance is president of the Nebraska Association of School Boards and School Executives, and an elder in the Presbyterian church. The following article is a chapter taken from his new book entitled, "Religious Instruction and the American Public School," published by Richard G. Badger, 110 Charles St., Boston, Mass.—EDITOR.]

By

Dr. B. F. Lorance

A VERY good man in a certain town holds family worship in his home every evening when the day's work is done. The Bible is read and prayer is offered to the Deity. The mayor and all the members of the council in that town might think the custom of that good man a most excellent one; they might even earnestly wish that the same thing could be done in every home in that neighborhood, but that town council would not think of passing an ordinance compelling every home in that jurisdiction to adopt such a custom. To do such a thing would be to assume authority not delegated by law.

The author of these pages has served as member of a board of education for more than twenty-five years. On one occasion, while visiting the schools, one of the teachers was found opening her school, every morning, with prayer and the reading of the Bible. All the members of our board were fine Christian gentlemen; they all thought the custom of that teacher most admirable, but they could not go over to the teacher on the

other side of the hall and request her to do likewise; nor could they, as a board of education, make a regulation requiring the other members of the teaching force to adopt such a custom.

For a town council, a board of education, or any other body to attempt to legislate on such a matter would be to go back to the methods in vogue during the Dark Ages. The Pilgrim Fathers left Europe and came to these shores for no other reason than that the rulers of those days insisted upon passing laws setting forth the manner in which they should worship God. In this land, those Pilgrim Fathers established a government, and wrote into the Constitution of that government the clause guaranteeing to all men the right to worship God according to the dictates of their own conscience.

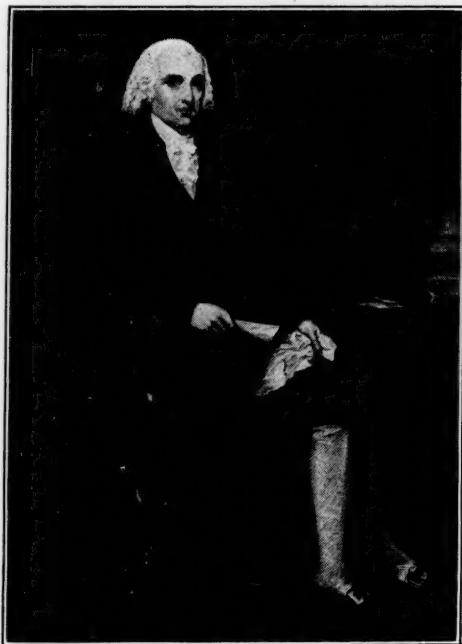
To those who are so solicitous about having the Bible and religious exercises in our public schools, it might here again be mentioned that prayer and the presence of the Bible do not necessarily imply the inculcating of the attributes of God and the tenets of Christ, as is evidenced by the fact that the high priests, during the days of the Inquisition, prayerfully directed their gruesome work with Bible in hand.

(Concluded on page 127)

THIS was the title of the winning prize oration in the recent national contest held in Washington, D. C., between the high school students of the United States. The members of the Supreme Court acted as judges. The contest was the fourth of its kind on the best production on the value of the Federal Constitution. Miss Dorothy Carlson, Salt Lake City high school student, was the winner in the national contest among seven finalists. The seven finalists will all enjoy a trip to Europe, and in addition Miss Carlson will represent the United States in the international oratorical contest to be held in this country next fall. We take pleasure in printing her winning oration, as it contains many admonitions to American citizens that should not go unheeded. The oration is as follows:

"Since the dawn of history, man has ever aspired to freedom; the desire for liberty has been the greatest urge of the human heart.

"This aspiration was the moving force in the establishing of the transitory republics of Greece and Switzerland; it, later, wrested from King John



BY CHAPPEL

James Madison

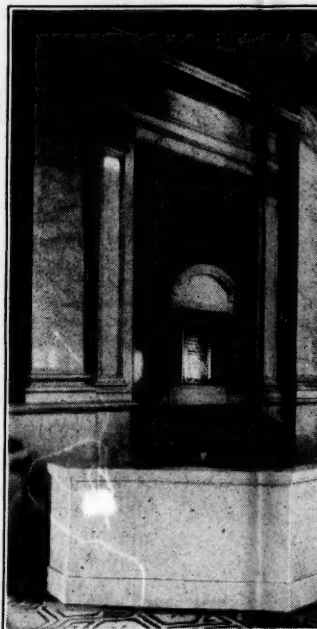
What the Constitution Should Mean to an American

that significant contribution to liberty, the Magna Charta.

"The urge behind that heroic handful of undaunted patriots, the Pilgrim Fathers, as they braved the unknown dangers of a trackless sea, was to secure religious freedom; they dreamed, not of pelf and power, but of liberty, the God-given birthright of all men. The fruition of their noble aspirations was the inspired Declaration of Independence. Little did they realize that, under God's guidance, they were laying the foundation of universal democracy!

"After the smoke of the Revolution had cleared, the giant specter of want and misery was abroad in the land; chaos, almost to anarchy, stalked about with ominous tread; hearts were heavy, but the Ship of State was destined to weather the storm. The framers of our Constitution met in 1787, and out of the confusion of the loosely bound confederation, torn with dissension from within and lack of support from without, these great souls gathered the scattered forces of freedom and crystallized them into a Constitution—a Constitution dedicated to liberty—a Constitution that has become not only the corner stone of our liberty, but also a pattern for a liberty-loving people the world over—a Constitution whose new and dominant note stressed the rights of the individual.

"A masterpiece of government—unique, in that it contains, for the first time in all history, a Bill of Rights so comprehensive as to cover the full gamut of personal liberty; a Constitution providing for a representative form of government; a govern-



© H. A. E.

In This Beautiful Setting in the Library of Congress, Enshrined the Two Most Precious Documents of American History,—the Declaration of Independence and the Constitution of the United States

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in the Library of Congress Are
Precious Documents of American
Independence and the Consti-
tution of the United States of America

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ereign States under
strong central control;
a government having a
system of checks and
balances, whereby the
legislative, the execu-
tive, and the judicial
departments each com-
prise an effective check
on the others, culminat-
ing in a well-regulated
balance of authority;
and, lastly, must I men-
tion those wise provi-
sions whereby the Con-
stitution is kept a living
force, capable of con-
forming to the ever-
changing conditions of
national growth—I
refer to the power of
amendment and to the
more flexible power of
judicial interpretation
through decisions of the
Supreme Court.

"Was there ever a
Constitution like this—
a Constitution afford-
ing the humblest citizen
equal rights with the
most powerful—a
Constitution carrying
out the will of the ma-
jority, yet safeguard-

ing the rights of the minority?

"This immortal document is a composite of the
genius and lofty idealism of its creators, reflecting
the majesty of Washington, the wisdom of Madison,
the common sense of Franklin, and the brilliance of
Hamilton; yet it remained for the mighty Marshall
to breathe into the Constitution the breath of life,
making it a living instrument.

"It now remains for us to uphold that sacred
guaranty of liberty. Our Constitution is strong
only as we are strong; weak, as we are weak. We
must guard against indifference to civic and national
issues and the neglect to exercise our rights of
franchise. How can our government be truly repre-
sentative if we fail to vote? Is liberty so cheap
that we value it so lightly? An intelligent, voting

citizenry is the nation's salvation—its great-
est need!

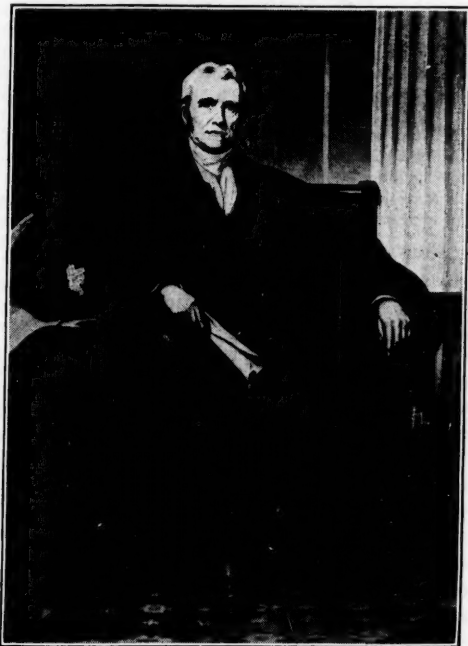
"America stands to-day foremost among the
nations of the earth. May it ever maintain this
glorious prestige.

"Friends, America's future rests upon the
individual citizen. O for a Lincoln, to fuse
into our civic and national consciousness, in
times of peace, the patriotic service and fidelity
of purpose so manifest in times of war! We
need more leaders and teachers to inspire in
us, and especially in the youth of our land, the

homely qualities of honesty, fairness, helpfulness,
industry, and thrift, without which no nation, how-
ever great the character of its liberty, can survive,
without which there would have been no lasting Con-
stitution, no united, free America, no Stars and
Stripes!

"Are we so sated with the pleasures of life that
the red blood of true Americanism no longer flows
in our veins? If so, God help us to awaken to a
full appreciation of our citizenship! The challenge
comes to every American citizen, not only to up-
hold this Constitution, but to defend it; to uphold
it is not enough!

"We Americanize the foreigner. Are not many
native-born Americans just as truly in need of
Americanization? For those who are ignorant of
our history and know not our traditions, the valiant
stand of the minutemen at Lexington means nothing;
the roar of Bunker Hill falls on deaf ears; the



NATIONAL PHOTO

John Marshall

blood-stained footprints on the ice and snow at Valley Forge bring no heart throb; the Stars and Stripes, floating resplendent on the breeze, brings no quickening of the pulse.

"Ladies and gentlemen, vigilance must be our watchword, for real danger confronts this nation. Foreigners, under the guise of friendship, come here desiring to wreck the very citadel of our liberty by poisoning the minds of our youth with their seditious propaganda. For these insidious foes, who hold contempt and hatred in their hearts for all established law and order, we have nothing but righteous indignation. We must, by a process of education, teach these radicals new ideals, new standards — teach them that our Constitutional freedom is based on fixed rules of law and order; that liberty without responsibility is license. But to those who come with honesty of purpose we extend the hand of fellowship; we say to them, in all sincerity: 'Our schools are open to you and yours; our industries are calling you; our broad fields are inviting you.' With patience and understanding and by the potent force of a living example, we can help them to become good citizens, and in so doing we ourselves shall be touched with the fire from the altar of liberty.

"For the perpetuation of this Constitution and the unity of this nation the Great Emancipator gave his life. To safeguard democracy the flower of this land paid the supreme sacrifice!

"In the common bond of love and service may we ever hold sacred and inviolate the tenets of our matchless Constitution, and may we pass on to posterity the priceless heritage, consecrated by the blood of the sainted dead, with no blot on its escutcheon from our wrong-doing, with no blemish from our neglect.

"May we ever be worthy the name of American citizens."

How true the statement that "vigilance must be our watchword, for real danger confronts this nation"! Our danger, however, comes not so much from the foreigner who desires "to wreck the very citadel of our liberty," as from the professional "uplifter" and religious "reformer" who is continually introducing religious measures into Congress, and our State legislatures which in spirit and letter contravene and override every Constitutional provision and guaranty of human rights and of civil and religious liberty vouchsafed to the individual.

The Constitution can be destroyed by flanking methods as well as by frontal attacks, by indirect methods as well as

direct, by overriding as well as flouting it. The Constitution is being wounded and crucified in the house of its friends by misguided zealots of moral and religious reforms, more than it is by foreign foes. The danger is greater within than without domestic bounds. If American citizens are worthy of all that name implies, and are true to the ideals set forth in the Constitution, the fires will ever burn brightly upon the altar of liberty in the land of the free and the home of the brave. L.



"Is a Man's Home His Castle?"

THE *Evening Standard* of New Bedford, Mass., in an editorial of July 27, asks this question and then answers it as follows:

"Is a man's home his castle? We like to think that it is, but now and then something happens to make us not so sure. Last Saturday night a family in Rochester celebrated a christening, and had in some of their friends to take part in the festivities. They were most of them Cape Verders, and their notion of how a christening should be celebrated differ widely from those of people whose ancestors came over on the 'Mayflower.' They had music and dancing, and they paid no attention to the fact that the stroke of midnight terminated Saturday and ushered in the Lord's day. Rather they went on with their fun, and were at it when State police patrolmen arrived and arrested them for violating the Sunday law.

"It was admitted they were in a private house, that they had not been drinking, that there was no trace of liquor about the place, that they were not disturbing the peace, and that no neighbor had complained. Under the circumstances, we wonder why the police thought it necessary to break up this innocent gathering and arrest the participants. Admit that there were music and dancing, 'games, sports, and play,' the fact remains that the police do not as a rule enter private houses to arrest people for doing these things on Sunday, unless there is a disturbance of the public peace.

"A somewhat similar case occurred recently in a near-by town, where the police unwarrantably entered a private house, and made arrests as a result of what was, at worst, merely a private disturbance. There is enough real crime, so much violation of the law to the injury of the public, that the police would do well to devote themselves to that, instead of arresting

participants in parties in private houses, even if they are a bit noisy."

This incident shows how Sunday laws reach into every home, and interfere with the legitimate liberties of the people. The arrests referred to were not made for disturbance of the public peace, but for violation of the Sunday

law. In both cases the legal sanctity of the day was violated by conduct that would have passed unchallenged upon any other day or night. It is the *day* that is protected by Sunday laws, not the individual, nor yet the community, but the day as a religious institution. Of this there is and can be no question.

The Mistletoe on the Body Politic

IN its July number, the *Christian Statesman*, advertising its own peculiar brand of loyalty, cites as one of four types of patriotism that destroy nations, "the tendency of the individual patriot to become parasitic in his attitude toward the States; to measure his service and his devotion by the perquisites and the emoluments. Every great nation has bred some unselfish souls, but this type has always tended to become vermin or mistletoe on the body politic."

We have wondered how the editor of the National Reform organ could use such similes as "vermin" and "mistletoe" without making the application nearer home than he seemed intent upon doing. Perhaps the shoe he has fashioned for others would fit even better the National Reform foot.

The mistletoe is a parasite that fastens itself upon another living organism, and draws its life and support from it. It is a squatter that refuses to give up possession because of previous occupancy when its right to draw sustenance from another is disputed.

In the past, there were certain favored churches or denominations which were not content to stand on a level with other churches, but developed the vermin or mistletoe habit of drawing their sustenance from the state. They also secured legal sanction and support from the civil government for the enforcement of many of their religious tenets. In this country the financial support given to these mistletoe churches has been largely withdrawn by the civil gov-

ernment, but these churches are still receiving legal sanction and support from the State governments in behalf of certain tenets which are peculiar to their religion.

Compulsory Sunday observance laws, under our penal codes, are one of the old-time parasites which are holding over from the old church-and-state régime. This mistletoe refuses to loosen its legal tentacles and squatter claims, because of previous occupancy and judicial precedents.

These mistletoe churches are reluctant to relinquish their parasitic habit altogether, and when an effort is made by the citizens of the State to repeal these Sunday blue laws and refer the question of Sunday observance back to the churches to be propagated and supported by their own efforts without State aid, the political clergymen petition the legislatures for continued legal support and sanction, and even go so far as to intimate that the churches will perish and Christianity will suffer a great setback if this legal sanction and support is withdrawn. It is a clear case of a mistletoe-religion begging for its existence, and playing the part of a parasite depending upon the State for foreign food and favor.

John Milton speaks of the English Church which depended upon the English government and courts for its sustenance and legal protection, "as being afflicted with "Parliament parasitism" and "court parasitism." The late Charles Spurgeon, a famous Baptist divine of London, agreed with John Mil-

ton that the English system of legalizing the tenets of the Church of England, and especially the enactment of compulsory Sunday observance laws, was transforming the Christian religion into a parasite. Mr. Spurgeon said:

"I am ashamed of some Christians because they have so much dependence on Parliament and the law of the land. Much good may Parliament ever do to true religion, except by mistake! As to getting the law of the land to touch our religion, we earnestly cry, 'Hands off! leave us alone!' Your Sunday bills and all other forms of act-of-Parliament religion seem to me to be all wrong. Give us a fair field and no favor, and our faith has no cause to fear. Christ wants no help from Cæsar. I should be afraid to borrow help from government; it would look to me as if I rested on an arm of flesh, instead of depending on the living God. Let the Lord's day be respected by all means, and may the day soon come when every shop shall be closed on the Sabbath, but let it be by the force of conviction, and not by the force of the policeman; let true religion triumph by the power of God in men's hearts, and not by the power of fines and imprisonments."

The sooner the Christian churches cut loose from all state aid and legal sanctions, and make their churches self-supporting institutions without dependence upon Cæsar, the better it will be for their own interests. This eating from the table of Cæsar is making the churches spiritually lean. Anciently the priests who had charge of the public feasts conducted at public expense, were called "parasites" by the Greeks. We think this a most fitting title for the political preachers who tarry in Cæsar's antechamber, waiting for a legal mandate from the king or government favoring their particular brand of religion. The state should rid itself of the whole mistletoe family of political preachers.

The mistletoe is a European parasite, and so are Sunday laws. America inherited its Sunday laws from Europe through the Puritan theocracy, and it is high time that this foreign parasite be banished from American jurisprudence, and that American ideals of civil government, which recognize the claims of no religion as the special favorite of the state, be adopted. L.

Religious Bigots Always Selfish

THE *Pathfinder* of June 11 has the following to say about the selfishness of religious bigots:

"In the old days in England, when a Catholic sovereign came to the throne, he, or she, would demand that all subjects be Catholic or be punished. Then next there would be a Protestant sovereign, who would demand that all citizens be Protestant or be chastised. It just depended on how the king or queen felt about it.

"Very absurd, narrow, selfish, and vicious, we can all agree. But what about some of our State governors?"

Yes, and what about some of our judges on the bench? What about some of our lawmakers? Every now and then some governor, as recently in South Carolina, comes into office, and immediately wants to force his particular brand of religion upon everybody, and prohibit the playing of golf, the sale of newspapers and of gasoline for tourists on Sunday.

Then some newly elected judge gets on the bench, and immediately he interprets the Sunday laws in harmony with his own personal religious convictions, forgetting that a judge on the bench should administer the law and justice as impartially to all citizens alike as if no religion existed in the world. He is a civil and not an ecclesiastical judge, and can rightfully determine only civil matters.

And then there are some lawmakers who, as soon as they are elected to Congress or our State legislatures or municipal councils, immediately become obsessed with the idea that they possess an absolute prerogative to legislate upon every subject under heaven, and that they can enact laws to control human conduct in all things, both civil and religious, both human and divine. They forget that there is a Constitution which is supreme, and that the fundamental law has placed certain limitations upon their lawmaking powers.

A legislator who religiously and conscientiously observes Sunday has no more right to enact his ideas of Sunday observance into law for the rest of man-

kind, than has a legislator who religiously and conscientiously observes Saturday or any other day as holy time, a right to enact his particular beliefs into law for the rest of the citizens of the nation. The fact that a legislator belongs to the popular side and to the numerical majority of his brand of religion, should deter him all the more from legislating the popular brand of religion into law to be imposed upon the minority, because the Constitution aims to protect the rights of the minority and of the individual himself against the tyranny of even an overwhelming majority. The tyranny of the majority is no sweeter than the tyranny of the few.

Of all rights, our Federal Constitution aims to protect the rights of the individual against the encroachments of the majority in matters of conscience in the religious realm. Every civil officer should keep his religion out of politics, and administer the law impartially for all alike, irrespective of their or his own religious views. As one of our learned judges said:

"It is incorrect to say that Christianity is a part of the common law of the land, however it may be in England, where there is a union of church and state, which is forbidden here. . . . What religion or morality permits or forbids to be done on Sunday is not within our province to inquire. In different Christian countries, and in different ages in the same country, very different opinions have prevailed upon this question. In this State in general, every act may lawfully be done on Sunday which may lawfully be done on any other day."—*North Carolina Reports of the Supreme Court*, Vol. 74, pp. 167, 168.

Consistently no legislature or court can prohibit on Sunday any act which is honorable, moral, decent, and lawful on any other day of the week. The only thing that a Sunday law imposes on Sunday is religious duties. It does not prohibit criminal acts, because such offenses are forbidden by the civil statutes which apply to human conduct on every day of the week. A Sunday law only prohibits acts which are of themselves moral and legitimate on the other days of the week, but considered nonreligious and immoral on Sunday. This in itself is

conclusive evidence that every Sunday law is religious in intent and character. No religious reason should ever be given for the enactment of a civil law.

Sunday laws rest entirely upon a religious basis, and selfish religious bigotry has been the cradle of their birth. It is time that we make our civil laws civil, and that civil officers perform only civil functions in a public capacity. Religion has its own distinct sphere, and should never be supported and subsidized by the civil government.

L.

Sunday Baseball Gaining Favor

ACCORDING to Fred Lieb, Sunday baseball is gaining favor with the American people. Twenty years ago Sunday professional baseball was played in only three big league towns, Chicago, St. Louis, and Cincinnati. Cleveland was the next city to open its doors to the professional sport, followed shortly by Detroit. Providing Sunday recreation for the thousands of war-time workers in Washington, was the start of Sunday baseball in Washington in 1917. New York City and Brooklyn won Sunday baseball in 1919, leaving only Boston and the two Pennsylvania cities, Philadelphia and Pittsburgh, in the non-Sunday-playing list. Pennsylvania, Massachusetts, and a few of the States of the old South, Virginia, the two Carolinas, and Georgia, are among the remaining States where professional baseball is not permitted on Sunday. But even in Pennsylvania and Massachusetts there are quite a number of towns which permit professional baseball under local option, in spite of the State statutes to the contrary.

The people of Pittsburgh, Philadelphia, and Boston are strongly clamoring for local option, and undoubtedly their insistence cannot much longer be ignored by the church element which has been opposing them. It is becoming more and more a case of the people against the churches. The churches

ton that the English system of legalizing the tenets of the Church of England, and especially the enactment of compulsory Sunday observance laws, was transforming the Christian religion into a parasite. Mr. Spurgeon said:

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And then there are some lawmakers who, as soon as they are elected to Congress or our State legislatures or municipal councils, immediately become obsessed with the idea that they possess an absolute prerogative to legislate upon every subject under heaven, and that they can enact laws to control human conduct in all things, both civil and religious, both human and divine. They forget that there is a Constitution which is supreme, and that the fundamental law has placed certain limitations upon their lawmaking powers.

A legislator who religiously and conscientiously observes Sunday has no more right to enact his ideas of Sunday observance into law for the rest of man-

kind, than has a legislator who religiously and conscientiously observes Saturday or any other day as holy time, a right to enact his particular beliefs into law for the rest of the citizens of the nation. The fact that a legislator belongs to the popular side and to the numerical majority of his brand of religion, should deter him all the more from legislating the popular brand of religion into law to be imposed upon the minority, because the Constitution aims to protect the rights of the minority and of the individual himself against the tyranny of even an overwhelming majority. The tyranny of the majority is no sweeter than the tyranny of the few.

Of all rights, our Federal Constitution aims to protect the rights of the individual against the encroachments of the majority in matters of conscience in the religious realm. Every civil officer should keep his religion out of politics, and administer the law impartially for all alike, irrespective of their or his own religious views. As one of our learned judges said:

"It is incorrect to say that Christianity is a part of the common law of the land, however it may be in England, where there is a union of church and state, which is forbidden here. . . . What religion or morality permits or forbids to be done on Sunday is not within our province to inquire. In different Christian countries, and in different ages in the same country, very different opinions have prevailed upon this question. In this State in general, every act may lawfully be done on Sunday which may lawfully be done on any other day."—*North Carolina Reports of the Supreme Court*, Vol. 74, pp. 167, 168.

Consistently no legislature or court can prohibit on Sunday any act which is honorable, moral, decent, and lawful on any other day of the week. The only thing that a Sunday law imposes on Sunday is religious duties. It does not prohibit criminal acts, because such offenses are forbidden by the civil statutes which apply to human conduct on every day of the week. A Sunday law only prohibits acts which are of themselves moral and legitimate on the other days of the week, but considered nonreligious and immoral on Sunday. This in itself is

conclusive evidence that every Sunday law is religious in intent and character. No religious reason should ever be given for the enactment of a civil law.

Sunday laws rest entirely upon a religious basis, and selfish religious bigotry has been the cradle of their birth. It is time that we make our civil laws civil, and that civil officers perform only civil functions in a public capacity. Religion has its own distinct sphere, and should never be supported and subsidized by the civil government.

L.



Sunday Baseball Gaining Favor

ACCORDING to Fred Lieb, Sunday baseball is gaining favor with the American people. Twenty years ago Sunday professional baseball was played in only three big league towns, Chicago, St. Louis, and Cincinnati. Cleveland was the next city to open its doors to the professional sport, followed shortly by Detroit. Providing Sunday recreation for the thousands of war-time workers in Washington, was the start of Sunday baseball in Washington in 1917. New York City and Brooklyn won Sunday baseball in 1919, leaving only Boston and the two Pennsylvania cities, Philadelphia and Pittsburgh, in the non-Sunday-playing list. Pennsylvania, Massachusetts, and a few of the States of the old South, Virginia, the two Carolinas, and Georgia, are among the remaining States where professional baseball is not permitted on Sunday. But even in Pennsylvania and Massachusetts there are quite a number of towns which permit professional baseball under local option, in spite of the State statutes to the contrary.

The people of Pittsburgh, Philadelphia, and Boston are strongly clamoring for local option, and undoubtedly their insistence cannot much longer be ignored by the church element which has been opposing them. It is becoming more and more a case of the people against the churches. The churches

have a perfect right to control the religious conduct of their own members on Sunday, but they have no right to dictate such conduct for nonchurch members; and the sooner the churches learn this lesson, the better it will be for the interests of religion, as well as for the welfare of the State.

Drastic Decision Splits Court and Stirs Public

(Continued from page 101)

voked. The decision, if acted upon, would actually put out of business on Sunday every form of activity which is not strictly religious in intent and character.

Justice Kephart, in his dissenting opinion, said:

"If the law of the majority opinion is to be followed, the attorney-general ought to institute proceedings against all corporate violators of the Sunday law, including railroad companies, trolley car companies, all taxicab companies, and motor bus companies, which are identical in purpose with taxicab companies, all carriers whose passengers are not on their way to church or religious services, or travelers whom necessity compels to move, but are pleasure seekers or engaged in a business journey.

"Under the majority opinion, corporations that sell or print newspapers on Sunday, or for Monday delivery, ought to be proceeded against: telephone and telegraph companies which furnish the news are included. Indeed, if this entirely new flexible remedy is to be upheld as the law, it, under the majority opinion, becomes the open gateway for the punishment of all corporate violators of law, be it the Sunday law or other laws.

"Manufacturing establishments which do not properly guard machinery, the same concerns, or others, with large buildings, and hotel companies, not properly equipped with fire escapes, mercantile establishments, telephone companies, and others that happen to employ labor illegally, or work them overtime—all may be proceeded against by quo warranto; in fact, every corporation could be subjected to the forfeiture of its charter for violations of the law by its agents or employees."

No person may indulge in any sort of recreation, states the Philadelphia *Inquirer*.

"He may not go to the parks for an outing, and if he does, the trolley car or the motor car

or the taxicab conveying him there can be made a defendant and menaced with the loss of its charter. No railroad trains may run. No newspapers may be published. The telephone and telegraph companies must close down or be dragged before the courts. Such is the assertion of Justice Kephart, and it is common sense."

"We must admit," continues the *Inquirer*, "that such prohibition is all there in the statute, which might be used by radical societies or individuals to harass the public." In this particular case it was the Methodist Committee of One Hundred of Philadelphia and the officials of the Lord's Day Alliance that instituted the suit and harassed the public. It was the church in politics endeavoring to impose its religious ideas upon the public by law.

The five judges on the bench who rendered the majority opinion are said to be of the same religious persuasion as the religious societies that instituted the suit. Having a common religion and a common interest, the judges should have been especially discreet so as not to give a religious flavor to their decision. They should have spurned the temptation to favor their particular brand of religion, and should have rendered the decision as impartially as if no religion existed. Not religion, but impartial justice should govern in the administration of civil law. If this Pennsylvania decision is allowed to stand as a legal precedent, and other courts follow it, it will entail serious consequences.

The Most Significant Decision for a Generation

In some respects this is the most far-reaching and significant decision that has been handed down by an American court of such high standing for a generation. A few similar decisions were handed down by State supreme courts many years ago in those States which, like New Hampshire, still maintained a legal establishment of a State religion. Some of the thirteen original colonies maintained their legal religious establishments as late as 1835, and conse-

quently the courts enforced religious duties upon the people under the penal codes. But for many years the courts have refused to uphold religious duties by law, and this Pennsylvania court decision is a departure from the most recent decisions. It again flings the door wide open and lays the foundation for the destruction of American ideals of separation of church and state, and is a dangerous innovation of a legal precedent that may ruin our free republican institutions.

If this judicial precedent is followed by other State supreme courts, it will not be long until every State in the Union will have a legally established brand of religion peculiar to the religious faith of those who deign to take advantage of this legal precedent. No religious dissenter's property, business, or liberty will enjoy the protection of law or of the courts, as heretofore. Religious legislation knows no mercy, no bounds of jurisdiction, and no limitations in law. Under the most flimsy pretext and insidious logic, every guaranty of civil and religious liberty formerly vouchsafed to the individual and to corporations under our Constitution, is liable to be overridden and trampled underfoot with impunity by our legislatures and our courts, if this fallacious and un-American principle of jurisprudence is to become the accepted standard of our civil courts.

Following the Course of Rome

It means that the American Republic is likely to follow the course and fate of the Roman republic. In the course of time, the rights and privileges of the Roman citizens were restricted in both the civil and the religious realm. It was still called a republic after it was ruled by emperors and tyrants. The Roman republic finally became a monarchy, and the monarchy became the greatest tyranny the world ever saw. Under the sanction of religious laws and judicial religious precedents, millions of Christians suffered martyrdom, not only at the hand of pagan, but of professed

Christian rulers. Civilization, and Christianity itself, were retarded a thousand years in their progress.

It seems almost unbelievable that American jurists could so far lose sight of American ideals as to open the door to religious legislation and place such legislation on a confiscatory basis without any warrant in law. It presages the entrance of popular and dominant Christian churches into politics. It means that the cruel hand of religious oppression will again mete out persecution for all who dare say their consciences are their own. It is a sure omen that the world is drifting backward toward an evil day.

When America loses her religious freedom, the world is doomed. For America is still the hope of political freedom, and when America repudiates its precious blood-bought heritage of religious freedom, the last human hope of saving America, and the world itself, has fled. If religious legislation is to be the accepted standard of American jurisprudence, and religious liberty for the individual is to be trampled underfoot by judicial decisions, America might as well write "Ichabod" over the door of the Temple of Freedom, throw the Statue of Liberty into the waters of New York Harbor, and exchange Old Glory for the black banner of tyranny.



Roger Williams and the Puritans

(Continued from page 109)

with a message of reconciliation, inviting Williams to return in peace to Massachusetts, and hinting at a union of the two colonies for the sake of mutual protection. But Williams did not trust the Puritans, and sent back this laconic reply, that he felt safer among the Christian savages of Narragansett than among the savage Christians of Massachusetts.

If Salem had not driven Roger Williams out, but had accepted his principles of religious liberty, the black, disgraceful record of witchcraft persecution

would never have stained America's escutcheon. If the Puritans of Massachusetts had not sentenced Roger Williams to exile, but had accepted his Christian ideals of civil government and of the total separation of church and state, they would to-day receive the plaudits and honor of the American people, instead of being made the symbol of religious intolerance and the butt and jest of ridicule and satire.

The glory that would have come to them, we now give to the founding fathers of our matchless republic, who accepted the glorious principles of Roger Williams, the first president of the Rhode Island republic. That little republic, offering universal freedom to all men in the domain of religion and conscience, became the model of the greatest Republic the world has yet seen.

What America needs to follow to-day are the ideals of the Pilgrims, and not the intolerance of the Puritans.

The Puritans believed in a theocracy established by human law. The Pilgrims did not believe in a man-made theocracy.

The Puritans believed in a union of church and state, if it was a union with their church. The Pilgrims were opposed to a union of church and state, even if it was a union with their own church.

The Puritans believed in religious liberty only for their church and for their peculiar tenets of faith. The Pilgrims believed in religious liberty for every man, whether he made a profession of religion or not.

The Puritans believed that the civil magistrate should enforce Sunday observance in harmony with the Puritan notions and beliefs. The Pilgrims were opposed to the enforcement by the civil magistrate of any of the first four commandments of the decalogue, which included the Sabbath command.

The Puritans believed in compulsory church attendance on Sunday alike for religious and nonreligious. The Pilgrims held that Christ drove evil-doers

by force out of the temple, but never into the temple.

The Puritans held that all men should be compelled to pay their tithes to the church by the authority of the civil magistrate. The Pilgrims held that the support of the clergy and of religion should be voluntary.

The Puritans required infants to be sprinkled at a certain age, and through the state imposed a fine upon parents who were negligent in this matter. The Pilgrims were opposed to infant baptism, and believed that the individual alone was the proper authority to determine both the time and the mode for his baptism.

The Puritans were known as the Congregational Churches of New England. The Pilgrims were known as the Separatists.

The Puritans believed in using the sword both in aggressive and defensive warfare, as well as to execute heretics. The Pilgrims believed that the church should never employ the sword, and that the state should use it only in defensive warfare, to protect lives and homes against murderers and marauders.

The Puritans were in almost constant hostility with the Indians, and never paid them for their land. The Pilgrims, like the Quakers, were always at peace with the Indians, and bought land from them.

The Puritans indulged in the most cruel religious persecutions of dissenters, — Quakers and Baptists. The Pilgrims never persecuted a dissenter or non-conformist.

The Puritans had thirteen religious requirements, with the death penalty attached for the violator, besides murder and treason. The Pilgrims imposed the death penalty only for murder and treason.

In this contrast it is noticeable that our forefathers who framed our Federal Constitution followed the ideals of the Pilgrim Fathers, and not our Puritan ancestors. If America is to maintain her glory and greatness, her lawmakers

and courts must shape and interpret her laws in harmony with the Pilgrim conception of universal freedom, rather than the Puritan theocratic idea of a specialized religion entrenched in law and subsidized by the state. If the Puritan idea is to prevail, we might as well bid adieu to progress, civilization, and liberty. Religious bigotry and tyranny ruined Babylon, Medo-Persia, Greece, and Rome; and if America follows a similar course, it will lead to the same doom. "A frequent recurrence to the lessons of the past," said Jefferson, "is the only safeguard of our liberties." "Eternal vigilance is the price of liberty."

A Baptist's View of Sunday Legislation

(Continued from page 107)

It is worthy of note that while the clause declares religion as well as morality and knowledge essential, only schools and the means of education are required to be encouraged. The reason for this probably was that the Continental Congress which drafted the ordinance, already saw that religion could not be well promoted by law without some preference being given by law to some form of religion or to some religious society or church.

When the second constitution of Ohio was drafted and adopted in 1851, the duty of the legislature with respect to religion as well as to education was declared in language which has remained unchanged for more than seventy-five years. The section concerning rights of conscience in the Bill of Rights concludes as follows:

"Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the General Assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction."

We thus see that Ohio's constitution provides that its legislature shall have

different duties to perform with respect to religion and education. The legislature is to "protect" churches and to "encourage" schools. Other clauses authorize the power of taxation to be employed to maintain an efficient system of common schools, but taxation to erect or support any place of worship is strictly forbidden. The reason for this distinction ought to-day to be clear to all Americans of average intelligence.

It is to be observed that this admirable constitutional provision makes no recognition of the Christian religion; every religious denomination, whether Christian or non-Christian, is to be equally protected. Nor is there any requirement for Sunday legislation. The Jew, the Seventh Day Baptist, and the Seventh-day Adventist are to be protected on Saturday as well as sects worshipping on the first day of the week.

Dr. Francis Wayland on Sabbath Laws

The distinguished Baptist divine, Francis Wayland, long president of Brown University and eminent as an educator and educational reformer, concludes his chapter on the Sabbath in his "Moral Science" (1835) as follows:

"Is it the duty of the civil magistrate to enforce the observance of the Sabbath? We are inclined to think not, and for the following reasons:

"1. The duty arises solely from our relations to God, and not our relations to man. Now our duties to God are never to be placed within the control of human legislation.

"2. If the civil magistrate has a right to take cognizance of this duty to God, he has a right to prescribe in what manner it shall be discharged. The concession of this right would lead to direct interference with liberty of conscience.

"3. The keeping of the Sabbath is a moral duty. Hence, if it be acceptably observed, it must be a voluntary service. But the civil magistrate can never do anything more than produce obedience to the external precept, which in the sight of God would not be the keeping of the Sabbath at all. Hence to allow the civil magistrate to enforce the observance of the Sabbath, would be to surrender to him the control over the conscience without attaining even the object for which the surrender was made."

— *The Western Star, Lebanon, Ohio, May 12, 1897.*

The Present Crisis Threatening to Overthrow Religious Liberty

(Concluded from page 105)

upon the people of nearly all the States of the American Union, but to extend to the Sunday keepers of the District of Columbia the same factitious advantage. Many Sunday observers do not ask any such advantage, but there is an aggressive minority who do want it and are determined to have it, and who will leave no stone unturned, no means unused, to secure by legislation, power to override the rights and consciences of their fellow men by compelling them to render tribute to their day of rest and their mode of worship. Will Congress yield?



The Religious Outlook Before Congress

(Continued from page 110)

was sent out. Two statements are particularly significant:

First: "One of the important features of the conference was to show how a *nation-wide campaign* should be put on, and so well correlated and articulated through a united movement that it would bring about the early enactment of such a law."

Second: "Emphasis was laid upon the responsibility of Congress and the *people of the forty-eight States* for the enactment of such a law, as the residents of Washington have no vote whatever in the matter, but whose churches and patriotic citizens are exceedingly anxious that the nation's capital should be properly protected in its rights to rest and to worship undisturbed on the Christian sabbath."

It is clear that an attempt will be made to bring pressure upon the Representatives in Congress from all the States in the Union. But in view of the statements which are being sent out by the Lord's Day Alliance, it is only fair to say that when hearings were conducted by the District of Columbia Committee, representatives of the Chamber of Commerce, the Merchants and Manufacturers Association, the Board of Trade, the American Legion, the presidents of a number of citizens' associa-

tions, and the editor of the *Trade Unionist*, which is the official organ of the Washington Central Labor Union, and the Building Trades Council, comprising seventy-one local unions, appeared in opposition to the bill. These opponents of the measure are not irreligious. They were not lending their influence to an attempt to tear down religion. Some of them said plainly that they had never attended any place of amusement on Sunday, and felt that they could not do so conscientiously; yet they were earnest in their contention that their fellow citizens should not be forced to follow their consciences, but should be free to choose in such matters for themselves. They were representatives of different Protestant denominations and the Catholic Church.

Washington is not the godless city that it has been painted by the religious-political reformers, and any unbiased investigator will be forced to the conclusion that the people of this city resent the attempt to foist upon them a Sunday law. The fact that they have no vote does not mean that they have no ideas about what they desire. It is a shame to try to place them in the class of backward folk who need some one to look after their welfare. Their condition politically is not sufficient warrant for the activities of those who seek to make people moral by law.

The lovers of liberty in every State should be aroused by the activities of those who would trample underfoot the inalienable right of every man to worship God according to the dictates of his own conscience. If the United States Congress passes a purely religious law for the District of Columbia, what is to hinder its undertaking to do the same thing for the country at large? Some of the advocates of the Lankford bill have been frank enough to admit that they hope it may serve as a sample for the nation as a whole. Others have intimated that it would serve as an entering wedge, but that its provisions are not as strict as they could wish.

It is time that those who believe in real freedom of conscience for others as well as for themselves, lend their support to prevent the passage of any religious legislation in the Seventieth Congress.

The Ten Commandments Still Adequate

THE following article was written by Rabbi Frederick Cohn, for the United Press, as a special feature of the "Ten Commandments Week" in the churches. Rabbi Cohn is rated one of the ten leading Jews in the United States. He says:

"The ten commandments are as adequate a code of ethics to-day as they have been since they were promulgated on Mt. Sinai. They will continue to be when their shallow and superficial critics are no more.

"The commandments are not something artificial or arbitrary, or merely externally imposed by some even divine authority. They are as natural as life itself. What the law of gravitation is to the physical realm, the commandments are to the spiritual and moral realm.

Ideal Social Laws

"The Mosaic laws deal with the fundamentals of conduct as affecting individuals as members of society. They are therefore the social laws par excellence. Reason and logic establish this as well as so-called 'revelation.'

"Herbert Spencer, the great philosopher, through a rigid, strictly scientific method, deduced from pure thoughts that are virtually the ten commandments, or at least the ethical portion thereof, that each person has a right to the fullest liberty, limited only by the like liberty in others.

"From this determination of liberty arises what we call morality, which is restraint, a curb on the regulated license of others. Without it there would be social anarchy, moral chaos. Every man's hand would be raised against his neighbor, and his neighbor's hand raised against him. The ten commandments safeguard our rights and liberties.

"First of these is the right to life. The commandment, 'Thou shalt not kill,' whose meaning, despite quibbling, is obvious to all. The home is sacred as the cradle of the life-stream, which must be kept pure and not contaminated at its source; therefore the commandment, 'Thou shalt not commit adultery.'

Good Name Asset

"Man's greatest asset is his good name, his reputation, which has even material value.

Hence we have the commandment, 'Thou shalt not bear false witness against thy neighbor.' The tenth commandment, 'Thou shalt not covet,' is of special importance in guarding the heart, out of which are the issues of life.

"I am confident the religion of the future will be the religion of the ten commandments, absolutely the greatest doctrine in the world."

We agree with Rabbi Cohn that "the religion of the future will be the religion of the ten commandments." They are eternal principles controlling every relationship of man with God and of man with man. They are "exceeding broad," says the psalmist, and embrace "all righteousness" and "all perfection," and "in keeping of them there is great reward."

The first four commandments set forth man's duty toward God, and in their very nature are purely devotional and religious. Therefore the civil government, where the church and state are supposed to be separated, cannot by right enforce any one of the first four commandments. The last six commandments define man's proper relationship with man, and these can be enforced by the civil magistrate only where man invades the rights of man in overt acts of personal damage or injury. A failure to observe this line of demarcation between the two tables of the decalogue always leads to a legal establishment of religion and to religious persecution.

The ten commandments as such are a standard of religion and morals, and therefore pertain to the spiritual instead of the secular realm. "We know that the law is spiritual," says Paul, "for by the law is the knowledge of sin." The state cannot deal with sin, it can only define and punish crime. "Crime" is defined as "a gross violation of human law," "a violation of a public right," and "a violation of the rights of an individual." Sin is an offense against God, against conscience, and against religion, over which the civil magistrate has no jurisdiction. Human society may punish us for crimes and regulate our conduct toward man, but God alone is qualified to sit in judgment upon the motives

of a man's heart, and punish us for sin, since He alone is able to forgive and satisfy justice in the forgiveness.

Therefore let us not judge one another any more in matters of conscience in the religious realm and in the obligations we owe to God. Every man has a divine right to obey God as his conscience dictates, so long as he respects the equal rights of his fellow men. L.



Christianity Not Dependent on Law and State Aid

A MINISTER of Philadelphia wrote a letter to the editor of the *Daily News*, taking him to task for advocating the literal enforcement of the Sunday laws of Pennsylvania as the surest means of their repeal. The minister says that the editorial on law enforcement "sounds like the ravings of a dangerous person who would knock the foundation from under the house which wise and holy men built." The minister goes on to point out that Christianity and the church would perish and human life would be insecure without the legal support that Christianity and the church now receive from the civil government through these Sunday laws, which are still on our civil statute books.

We wonder if it ever occurred to this minister that Christianity flourished in its purity and made the greatest progress in all its history during the first two centuries, when the mightiest government of earth was arrayed against it to blot true faith from the earth. They had no Sunday laws then, nor any other religious laws to aid the church in her conflict. All the powers of hell combined against her in her purity, but they were powerless to blot the faith of Christ from the earth. "The blood of martyrs was the seed of the church."

It was not until the church became corrupted through unwarranted compromises with the world and alliances

with the state, that Christianity was endangered. But Christianity has sufficient vitality to withstand every onslaught of the enemy, and the church that makes Christ her leader, is building on "the Rock," against which the gates of hell cannot prevail.

A minister who states that Christianity is dependent upon the state and its legal support for its existence, is leaning upon a broken staff for support, and fails to grasp the inherent virtue of truth and Christianity. God's law is superior to all human law, and God will always have witnesses to represent His truth, even when the whole world and all the governments of earth combine to exalt error in the place of truth. Some men talk as if God were dead or had taken a far journey, and had left His affairs in their hands to carry on in His absence. God still lives and reigns, and His truth will ultimately triumph over all its foes, without the aid of carnal weapons or legal force. The church and the state flourish best when each operates independently of the other.

When America first separated the two, the preachers of the legally established churches turned into calamity howlers. The church and Christianity, they said, would utterly perish from the earth. Our forefathers were charged with pulling down the foundation which wise and holy men had laid. The government itself would become unstable, life insecure, property unsafe, and happiness would flee from the land. But after legal support was withdrawn from the churches and each church was placed on the same equality before the law, the missionary endeavors of the churches received a new life and vitality which had never been experienced since the days of primitive Christianity.

The greatest curse that can possibly come to any church is for the state to assume the responsibilities of the church, and to legalize the tenets of her creed. The substitution of the force of law for the power of love is the rock upon which

the church of the past has sacrificed its spirituality. The church that cannot live without being dependent upon the sheriff and the policeman, deserves to perish. It has no principles that are worth preserving. The world is better off without it. L.

"Enforcing Joy by Law"

THE *Cleveland Press* of July 11, under the above caption, presented the following pertinent editorial upon that theme:

"Advocating a closed Sunday, the Rev. William Sheafe Chase, in a sermon at Christ Protestant Episcopal Church, Brooklyn, asked voters to write their Congressmen to support the Lankford bill, which would enforce a closed Sunday on the District of Columbia. He says:

"The movement is not for the purpose of taking away joy on Sunday from the community, but for the purpose of increasing the joy of the community by forbidding any one to engage in any form of unnecessary labor or business."

"One trouble with many reformers is that they assume to know what is best for other people. Some of them are everlastingly trying to do something to others to make them good — assuming, of course, that they, the reformers, know precisely what is good.

"In the present instance, the Rev. Mr. Chase wants to increase the joy of the people who live in the District of Columbia. He assumes that this can be done by law, and that Congress, by forbidding work on Sunday, can make everybody in the national capital joyful.

"All of us want to be joyful. That includes the people of the District of Columbia. If they can become joyful through the passage of the Lankford bill, doubtless they will petition Congress thus to make them joyful. But until the people of Washington want the kind of joy the Rev. Mr. Chase prescribes for them, and ask his assistance, why should he or any other outsider insist on forcing that kind of joy on them by law?

"Some people of the District of Columbia now find joy in motoring through the beautiful suburbs of Washington. Others find joy in playing golf. Still others find joy in other forms of innocent, health-giving outdoor sports. There are many who find joy in going to church, either morning or evening, and yet have time for other kinds of joy during the remainder of the day.

"The people decide for themselves what will give them joy on Sunday — and most of them

are probably dutiful members of one church or another. Legal interference with the rights of others to enjoy themselves as they please, would be interference with the liberty of the people.

"That is just what the Lankford bill purposes to do, — enforce by the might of legislative enactment some people's notion of joy on others who haven't asked for that kind of joy and haven't indicated that they want it.

"You can't enforce joy with a policeman's club, any more than you can make people moral and good in the same way.

"On the same day that the Rev. Mr. Chase preached his kind of religion, another clergyman of the same creed preached in a New York pulpit. The Rt. Rev. Irving Peabody Johnson, Protestant Episcopal bishop of Colorado, said: 'Perfect personal freedom is the foundation of the Christian religion. We don't have to do a thing unless we want to. Our religion is a passion springing out of desire.'

"So we have two interpretations of Christianity coming from the same church. We believe the Colorado interpretation will be the more popular."

The peculiar feature of this whole Sabbath observance question is that each denomination has its own standard touching the manner in which the Sabbath should be observed, and they are not all agreed as to the particular day of the week that should be observed as the true Sabbath, or Lord's day. And as in this case, not all ministers of the same denomination are agreed as to the manner in which the same day should be observed. Yet the legal joy regulator is absolutely certain that his particular brand of religion should be accepted as a legal proposition by the Federal Government, and forced upon the rest of mankind.

Congress so far has consistently refused to be a party to such a religious-political arrangement, and we hope it will continue to turn a deaf ear to the blue Sunday joy fixers, who believe that they can make people happy and good by law.

Spiritual joy and worldly joy do not commingle. Neither can spiritual rest and physical rest be administered by force for the benefit of the individual. We believe everybody ought to observe the Sabbath of divine appointment, but we do not believe such a religious and

spiritual obligation should ever be enforced by the civil magistrate under a penal code. It is contrary to American ideals of civil government and to the divine economy as formulated by the Author of Christianity. L.



Enforcing Prayer and Repentance by Law

ACCORDING to a report of the Jewish Telegraph Agency sent from Jerusalem, July 22, "the recent earthquake that shook Palestine and Transjordan has called forth a deeply religious mood among the Arab population of the affected region. Emir Abdullah, ruler of Transjordan, has decreed a fast of three days, the populace being urged to spend the time in prayer and repentance. Any Arab subjects of the emir found eating during these three fast days will be liable to six months' imprisonment."

How much virtue is there in an enforced fast? "Is it such a fast that I have chosen?" saith the Lord, a "fast for strife and debate, and to smite with the fist of wickedness?" The Lord does not accept any service that places bonds and yokes upon men. "Is not this the fast that I have chosen? to loose the bands of wickedness, to undo the heavy burdens, and to let the oppressed go free, and that ye break every yoke?" Isa. 58:4-6.

But there are some Christians just like the ruler of Transjordan, who want to force their religious notions upon all others. There is no difference between compelling people to fast under a penalty of six months' imprisonment in a jail in Transjordan, and compelling people to observe Sunday according to the Lord's Day Alliance notion under a penalty of six months' imprisonment in the jail of the District of Columbia, according to the proposed Lankford compulsory Sunday blue law for the District of Columbia. There is just as much sense in enforcing prayer, repentance,

and fasts under the penal codes by the civil magistrate, as there is in compelling people to observe Sunday under duress of the civil magistrate. People ought to pray, repent, fast, and observe the Sabbath day according to divine appointment, but none of these divine obligations should ever be enforced by the police power of the state.



Rules on Jersey Blue Law

MAYOR FRANK C. BORDEN, Jr., of Beadley Beach, N. J., ruled on July 6 that if the Sunday law requiring barber shops to be closed on Sunday is to be enforced and warrants sworn out against violators, every other Sunday blue law must also be enforced without discrimination. The Sunday blue laws of New Jersey do not allow people to travel in any form of conveyance on Sunday except to and from church, and then only a distance of twenty miles. It prohibits all singing and music except church music. It prohibits every form of business, also amusement, however innocent, if it is for the sake of pleasure or diversion.

Clarence D. Hulse, a barber, applied for a warrant against Ralph Napoli, another barber, on a charge of operating his shop on Sunday contrary to the Sunday closing law of New Jersey. Recorder Joseph R. Megill, to whom Hulse applied, refused to issue the warrant, and the mayor said he had so instructed the recorder, unless the law as a whole was enforced upon all without discrimination.

The mayor's attitude is sane and just, and if all our public officials would take a similar attitude toward those who want to enforce only those portions of the Sunday laws which serve their convenience and can be employed as a weapon for retaliation, while they themselves violate the other sections, it would not be long until these antiquated laws of indigo hue would be repealed or declared null and void. There is no sense in

making fish and fowl out of the same piece of flesh to suit personal whims and to satisfy local prejudices.

The Sunday laws are nowhere enforced in their entirety. They are unjust, discriminatory, biased, un-American, and anti-Christian. It is time they were repealed, and the church and state separated in fact as well as in theory.

L.

“ Absurd Blue Laws ”

THE Washington Post of June 30, in an editorial under the above caption, has the following to say of the recent decision of the Pennsylvania Supreme Court upholding the antiquated Sunday laws of that State:

“ Pennsylvania courts have ruled that Sabbath observance in that State shall be governed by the code of 1794. The statutes, just as those of several other States whose history dates back to the nation's beginning, provide that no employment except of an essential nature may be engaged in on Sunday. Logical construction of the law would mean that no activities other than those connected with the home or the church, would be permitted.

“ Court rulings, applying laws of the eighteenth century to the twentieth, close their eyes to all that has happened in the intervening years. When the act of 1794 was drafted in Pennsylvania, the home was a self-contained and self-supporting unit. There were stores, it is true, but from them the citizen purchased only nonperishable staples and foreign luxuries. The perishable products and necessities of everyday existence were produced in the home.

“ In 1794 there were no railroads. Daily newspapers were an innovation that had not yet reached the point of Sunday issue. The inhabitants were not dependent upon electricity for light, gas for cooking, or the telephone as a means of communication. The communities were small. Factory life was unknown. Outdoor air was available to all throughout the week.

“ Even the courts, which hold that the ancient statutes are still in force, acknowledge inferentially that they have been modified by time, but they leave to local authorities the task of determining how far modification may go. Rigid adherence would mean that for one day in the week the citizens of the States involved must return to what is now a primitive condition, deprived of all conveniences that science has wrought. Only the most puritanical would welcome such a throwback. The blue laws are absurd, and it is impossible to enforce them.”

The thing that makes the Sunday blue laws absurd is the fact that the courts are trying to impose the Puritan conception of Sunday observance upon religious and nonreligious people alike, in a country that has granted religious freedom to all its citizens, irrespective of religious opinions.

The supreme court of Pennsylvania is giving the same religious twist to its interpretation of law as the ecclesiastical courts did when the Sunday law was first enacted in Pennsylvania in 1751, when that colony re-enacted the Sunday law of Charles II for the benefit of the church. The real purpose of the statute was religious, and this religious reason the court has upheld, which, according to the decision of the Supreme Court of the United States on this question, renders the Sunday law unconstitutional.

L.

Bible Reading in Public Schools Defeats Its Own Aims

(Concluded from page 111)

Again, all authorities who ever wrote a paragraph on pedagogy, and all teachers worthy of the name who ever taught a day in any American public school, agree that the primary purpose of the public school is to build character — to drill into the life of the pupil those attributes which go to make up high-grade citizenship; and they all agree that this character building can be done just as well, or better, without the formal act of prayer and Bible reading.

The public school is maintained by money derived by law from all citizens alike. In any locality there may be people of the Catholic, the Hebrew, or even the Mohammedan faith; to offer the Bible to people of such beliefs in an institution which they are paying their money to maintain, naturally engenders an atmosphere of contention, a thing inimical to the fostering of the tenets of Christ. Thus the thing sought, Bible reading, defeats its own aims.

What Eminent Men Have Said

YOU may be as orthodox as the devil, and as wicked.—*John Wesley.*

WHEN the state is most corrupt, then laws are most multiplied.—*Tacitus.*

A FORCIBLE suppression of error is no aid to the cause of truth.—*Wm. Lloyd Garrison.*

BE sure that religion cannot be right that teaches a man to hate his brother.—*William Penn.*

A POLITICIAN thinks of the next election; a statesman, of the next generation.—*James Freeman Clarke.*

THOSE who deny freedom to others deserve it not themselves, and under the rule of a just God cannot long retain it.—*Abraham Lincoln.*

DIE when I may, I want it said of me by those who knew me best, that I always plucked a thistle and planted a flower where I thought a flower would grow.—*Abraham Lincoln.*

ALL truth is safe and nothing else is safe; and he who keeps back the truth, or withholds it from men, from motives of expedience, is either a coward or a criminal, or both.—*Max Müller.*

THE world is a looking-glass, and gives back to every man the reflection of its own face. Frown at it, and it in turn will look sourly upon you; laugh at it and with it, and it is a jolly, kind companion.—*William Makepeace Thackeray.*

BIGOTRY has no head and cannot think, no heart and cannot feel. When she moves, it is in wrath; when she pauses, it is amid ruin. Her prayers are curses, her God is a demon, her communion is death, her vengeance is eternal, her decalogue written in the blood of her victims; and if she stops for a moment in her infernal flight, it is upon a kindred rock to whet her vulture fang for a more sanguinary desolation.—*Daniel O'Connell.*

AMERICA has furnished to the world the character of Washington, and if our American institutions had done nothing else, that alone would have entitled them to the respect of mankind.—*Daniel Webster.*

Real Sponsors of the Lankford Sunday Bill

CONGRESSMAN LANKFORD claimed that his intelligence was insulted when some one intimated that he was not the author of his Sunday bill, which he introduced during the sixty-ninth session of Congress.

But now the general secretary of the Lord's Day Alliance, in his printed report read at the thirty-eighth anniversary of the Lord's Day Alliance held in New York City, adds insult to insult to Congressman Lankford's intelligence as well as to his claim that he was the author of his own bill, by giving the credit of authorship to a committee appointed by the Lord's Day Alliance. The general secretary in his annual report says:

"The Sunday rest bill for the District of Columbia was introduced by Hon. W. C. Lankford, at the request of our Alliance, which bill was formerly prepared by a committee with the aid of a member of Congress, Hon. J. Banks Kurtz, in the House of Representatives, Sixty-ninth Congress, last February."

This robs Congressman Lankford of all the glory of authorship, and shows that the Lord's Day Alliance and Congressman Kurtz were its real authors. We feel sorry for Congressman Lankford, that he is compelled to suffer this cruel stab at the hands of his own friends. "Et tu Brute?"—"And Thou also, Brutus?" said Cæsar, meaning, "How could you do it as a friend?"

THE Pennsylvania Supreme Court Sunday law decision, discussed in this issue of LIBERTY, has been appealed to the Federal courts, and will in due course reach the Supreme Court of the United States.

The Church in Politics

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CHAPTER HEADINGS

A Burning Issue
Aims of the Lord's Day Alliance
Origin, History, and Object of Sunday Laws
Compulsory Church Attendance on Sunday
Why Sunday Laws Are Wrong
Religious Persecution Under Sunday Laws
Aims of the Founding Fathers
Government and Religion

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OUR FLAG

WHEN Freedom from her mountain height
Unfurled her standard to the air,
She tore the azure robe of night,
And set the stars of glory there.
She mingled with its glorious dyes
The milky baldrick of the skies,
And striped its pure, celestial white
With streakings of the morning light.
Flag of the free heart's hope and home!
By valiant hands to us 'twas given;
Thy stars have lit the welkin dome,
And all thy hues were born in heaven.
Then may the land that gave thee birth,
To principle be ever true;
And may our Constitution live
And liberty spring forth anew.

—With apologies to
Joseph Rodman Drake.

